



12/23/04 4616-67958-01 338962

PATENT
Attorney Reference Number 4616-67958-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Pre application of: Michael A. Kuzyk et al.

Application No. 10/782,234

Filed: February 18, 2004

Confirmation No. 5234

For: VACCINES AND AGENTS FOR
INDUCING IMMUNITY IN FISH
AGAINST RICKETTSIAL DISEASES,
AND ASSOCIATED PREVENTATIVE
THERAPY

Examiner: Not yet assigned

Art Unit: 1645

Attorney Reference No. 4616-67958-01

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CERTIFICATE OF MAILING

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Agent
for Applicant(s)

Date Mailed December 23, 2004

TRANSMITTAL LETTER

Enclosed is a Response to Office Action for the above application.

- No additional fee is required.
- If the Patent and Trademark Office determines that this amendment results in an additional application size fee for pages in excess of 100, please charge the fee to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- Please charge any fees that may be required in connection with filing this amendment to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By

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cc: Docketing



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RESPONSE TO OFFICE ACTION

This responds to the Office action dated November 26, 2004. Please enter the following

remarks:

Remarks begin on page 2.

Remarks

In response to the restriction requirement, Applicants elect Group II (claims 4-6) drawn to a vaccine including an immunogenic amount of a protein, with traverse. Applicants submit it would not be an undue burden on the Examiner to search the subject matter of Group II with the subject matter of Group III.

In response to the requirement for an election of species, Applicants elect Species A, drawn to SEQ ID NO: 2. Applicants thank the Examiner for noting that upon the allowance of a generic claim the applicants are entitled to consideration of claims to additional species which are written in dependent form or that otherwise include all of the limitations of the allowed generic claim.

Conclusion

If any matters remain to be addressed prior to substantive examination the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

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